

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	1:21CR429-1
	:	
KEVIN PHILLIP BROOME	:	

FACTUAL BASIS FOR A GUILTY PLEA

NOW COMES the United States of America, by and through Sandra J. Hairston, United States Attorney for the Middle District of North Carolina, and states that the factual basis for a guilty plea is as follows:

Prior Conviction for Possession of Child Pornography and Supervised Release Conditions

On September 30, 2013, Kevin Phillip Broome was convicted of possession of child pornography in violation of 18 U.S.C. § 2252A(a)(5)(B) and (b)(2) in the Middle District of North Carolina in file number 1:12CR272-1. He was sentenced to 30 months' imprisonment, followed by 15 years of supervised release. Two of his special conditions of supervised release were:

The defendant shall not possess or use a computer or any other means to access any "on-line computer service" at any location (including employment) without the prior approval of the probation officer. This includes any Internet service provider, bulletin board system, or any other public or private computer network.

The defendant shall submit to a search of his person, property, house residence, vehicle, papers, computer, other electronic communication or data storage devices or media, and effects at any time, with or without a warrant, by any law enforcement officer or probation officer with reasonable suspicion concerning unlawful conduct or a violation of a condition of probation or supervised release.

Supervision began on March 23, 2015. On September 29, 2015, a violation of supervised release petition was filed alleging that during an unannounced home visit, a United States Probation Officer "USPO" saw a cellular telephone, capable of accessing the internet in plain view. Broome admitted to the violation and on January 14, 2016, Broome's supervised release was revoked and he was sentenced to 15 months' imprisonment, followed by 165 months of supervised release.

He was released on another term of supervision on May 2, 2018. On March 3, 2021, during an unannounced home contact at 3200 Cloverleaf Parkway, Room 306, Kannapolis, NC, USPO Matt Wzorek observed Broome standing outside his room wearing a Bluetooth earpiece. Broome admitted to having an Android smartphone but refused to allow the probation officer to visually inspect or confiscate the phone.

Search of Broome's Residence

USPO Wzorek then requested a search application of Broome's residence to his supervisors. The requested search was based on probable cause that

Broome was in possession of an electronic device (Android smartphone) per his admission, and reasonable suspicion that he was in possession of additional electronic devices. The search was approved on April 7, 2021.

On April 29, 2021, USPO's Search Enforcement Team executed a search of Broome's approved residence at 3200 Cloverleaf Parkway. The team seized several items, including a Motorola cell phone, a Samsung cell phone bearing IMEI number 354082110823358 ("Samsung cell phone"), an ORBIC cell phone, a LG tablet, a HP laptop bearing serial number 3T894800RN ("HP laptop"), and thirteen assorted DVD's.

Results of Digital Forensics of Devices

On Wednesday, May 5, 2021, USPO Wzorek requested limited investigative assistance from Criminal Specialist (CS) Rodney White of the North Carolina State Bureau of Investigation (NCSBI) in conducting forensic examination of devices seized from Broome. This included cell phone extractions of the Motorola cell phone, the ORIBIC cell phone, and the Samsung cell phone seized from Broome's home. On May 24, 2021, USPO Wzorek requested additional assistance in conducting computer forensic examinations on one LG Tablet, one HP Laptop, thirteen assorted DVD's, and one USB 2TB seized from Broome.

CS White located child pornography on two devices: the Samsung cell phone and the HP Laptop.

From May 24, 2021 through June 21, 2021, CS White conducted a forensic examination on the HP Laptop. CS White located **thirty-two images** of nude prepubescent/pubescent minors engaged in sexual acts, to include bondage. He also located **one video file** of nude prepubescent minors engaged in sexual acts. The created/accessed dates for the recovered images/video were March 2021 through May 2021.

On June 29-30, 2021, CS White conducted a data extraction of the Samsung cell phone. On the device, CS White found **seventy-eight images** of nude pubescent minors engaged in sexual acts, ten Computer Generated Images (CGI) of child sex abuse material, **sixteen videos of pubescent minors** engaged in sexual acts, and one CGI video of child sex abuse material. The image and video files were located in vault app entitled “lockervault.” White also observed phone applications for hiding/securing images and videos recovered/observed. These included: Calculator app, Clock – The Vault: Secret Photo and Video Locker, iLocker Vault, and Secure Files & App lock. A review of the internet history indicated the devices accessed Motherless.com searching for “boys” and “boy’s cumming.”

SANDRA J. HAIRSTON
United States Attorney

/S/ K. P. KENNEDY GATES
Assistant United States Attorney
NCSB No. 41259
United States Attorney’s Office
Middle District of North Carolina
101 S. Edgeworth St., 4th Floor
Greensboro, NC 27401
336/333-5351

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA :
 :
 v. : 1:21CR429-1
 :
 KEVIN PHILLIP BROOME :

CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Corey D. Buggs, Esq.

SANDRA J. HAIRSTON
United States Attorney

/S/ K. P. KENNEDY GATES
Assistant United States Attorney
NCSB No. 41259
United States Attorney's Office
Middle District of North Carolina
101 S. Edgeworth St., 4th Floor
Greensboro, NC 27401
336/333-5351